



U.S. Department of Transportation

**Federal Highway  
Administration**

# Memorandum

Subject: **ACTION**: Approval of Buy America Waiver  
Stainless-Clad Reinforcement, I-94 over the Galien River

Date: April 22, 2008

*Dwight L. Horne*

From: Dwight Horne  
Director, Office of Program Administration

Reply to  
Attn. of: HIPA-30

To: James J. Steele  
Division Administrator  
Lansing, MI

This memorandum is in response to Mr. Calbrese's March 27, 2008, email that provided a Buy America waiver request, for stainless-clad reinforcing steel on the I-94 project, over the Galien River, 2.5 miles Northeast of New Buffalo, Michigan. The waiver request was submitted on behalf of the Michigan Department of Transportation.

The FHWA has completed a review process in compliance with the statutory requirement for the Secretary of Transportation. The process is to implement an informal public notice and comment opportunity for each waiver request. Specifically, on March 31, 2008, the FHWA published a notice of this waiver request and received four comments. Two of the commenters suggested that domestic solid stainless steel reinforcing steel products are available; however, no one suggested that stainless-clad reinforcing steel is available domestically.

The Michigan Department of Transportation is not required to select or evaluate all available types of reinforcing steel on every project. The subject project is an experimental project specifically for the evaluation of stainless-clad reinforcing steel. Since there are no domestic suppliers of stainless-clad reinforcing steel, I approve this Buy America waiver request.

You may contact Mr. Edwin Okonkwo, our Buy America coordinator (202-366-1558), should you have any questions on this matter.

